STATE OF SOUTH CAROLINA

(Caption of Case)

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET NUMBER: 2004 - 219 - E

(Please type or print)


**Submitted by:** Len Anthony

**Address:** Progress Energy
P. O. Box 1551, PEB 17A4
Raleigh, NC 27602

**SC Bar Number:** 405
**Telephone:** 919/546-6367
**Fax:** 919/546-2694
**Other:**

**Email:** len.s.anthony@pgnmail.com


NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ **Emergency Relief demanded in petition**

☐ **Request for item to be placed on Commission's Agenda expeditiously**

☐ **Other:**

| INDUSTRY (Check one) | NATURE OF ACTION (Check all that apply) | | |
|---|---|---|---|
| ☐ Electric | ☐ Affidavit | ☒ Letter | ☐ Request |
| ☐ Electric/Gas | ☒ Agreement | ☐ Memorandum | ☐ Request for Certification |
| ☐ Electric/Telecommunications | ☐ Answer | ☐ Motion | ☐ Request for Investigation |
| ☐ Electric/Water | ☐ Appellate Review | ☐ Objection | ☐ Resale Agreement |
| ☐ Electric/Water/Telecom. | ☐ Application | ☐ Petition | ☐ Resale Amendment |
| ☐ Electric/Water/Sewer | ☐ Brief | ☐ Petition for Reconsideration | ☐ Reservation Letter |
| ☐ Gas | ☐ Certificate | ☐ Petition for Rulemaking | ☐ Response |
| ☐ Railroad | ☐ Comments | ☐ Petition for Rule to Show Cause | ☐ Response to Discovery |
| ☐ Sewer | ☐ Complaint | ☐ Petition to Intervene | ☐ Return to Petition |
| ☐ Telecommunications | ☐ Consent Order | ☐ Petition to Intervene Out of Time | ☐ Stipulation |
| ☐ Transportation | ☐ Discovery | ☐ Prefiled Testimony | ☐ Subpoena |
| ☐ Water | ☐ Exhibit | ☐ Promotion | ☐ Tariff |
| ☐ Water/Sewer | ☐ Expedited Consideration | ☐ Proposed Oder | ☐ Other: |
| ☐ Administrative Matter | ☐ Interconnection Agreement | ☐ Protest | |
| ☐ Other: | ☐ Interconnection Amendment | ☐ Publisher's Affidavit | |
| | ☐ Late-Filed Exhibit | ☐ Report | |

Print Form  Reset Form

Progress Energy

September 27, 2007

Mr. Charles Terreni
Chief Clerk and Administrator
Public Service Commission of South Carolina
P. O. Drawer 11649
Columbia, South Carolina 29211

RE: Docket No. 2004-219-E

Dear Mr. Terreni:

Please find attached a settlement agreement entered into between Progress Energy Carolinas, Inc., Gary Weaver and Beatrice Weaver.

**THIS DOCUMENT IS AN EXACT DUPLICATE, WITH THE EXCEPTION OF THE FORM OF THE SIGNATURE, OF THE E-FILED COPY SUBMITTED TO THE COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING INSTRUCTIONS.**

Yours very truly,

Len S. Anthony/mhm

Len S. Anthony
Deputy General Counsel-Regulatory Affairs

LSA:mhm

Attachment

256168

Progress Energy Service Company, LLC
P.O. Box 1551
Raleigh, NC 27602

| | | |
|---|---|---|
| STATE OF SOUTH CAROLINA | ) | IN THE COURT OF COMMON PLEAS |
| | ) | |
| COUNTY OF DILLON | ) | CASE NO.: 04-CP-17-232 |

| | | |
|---|---|---|
| PROGRESS ENERGY CAROLINAS, INC., | ) | |
| PLAINTIFF, | ) | |
| VS. | ) | **MUTUAL RELEASE** |
| GARY WEAVER AND BEATRICE WEAVER, | ) | |
| DEFENDANTS. | ) | |

The case of Progress Energy Carolinas, Inc., v. Beatrice Weaver and Gary Weaver CA # 2004-CP-17-232 will be dismissed on the following terms and conditions:

(1) Payment from Beatrice Weaver and/or Gary Weaver to Progress Energy Carolinas, Inc in the amount of $3,110.44 as follows:

September 18, 2007 - $1,000.00 (upon the execution of this release)

October 18, 2007 - $1,000.00

November 18, 2007 - $1,110.44

(2) Progress Energy Carolinas, Inc will reinitiate electrical service to 1253 Harlees Bridge Road, Dillon, SC 29536 in the name of Beatrice Wallenstein Living Trust upon payment of the first $1,000.00 referenced above and upon payment of the normal and customary security deposit.

(3) Beatrice Weaver, Gary Weaver and Progress Energy Carolinas will dismiss any complaint and any response thereto relating to any matter currently pending before the South Carolina Public Service Commission.

(4) The parties will mutually release each other as to any matter, action, potential action or any matter whatsoever which may exist between the parties as of September 17, 2007.

(5) Progress Energy Carolinas, Inc will consent to a request by Beatrice Weaver, Gary Weaver or the Beatrice Wallenstein Living Trust for a change of service provider to the premises owned by the said Trust or by Mrs. Weaver or by Mr. Weaver, and they acknowledge that the ultimate decision regarding the change of service will be subject to negotiations between the Progress Energy Carolinas, Inc. and the substitute service provider. There is no guarantee that Progress Energy will ultimately approve the change of service if such change of service involves any potential loss of current or future customers of Progress Energy Carolinas, Inc., other than the parties hereto.

Beatrice Weaver

Gary Weaver

We Consent:

Daniel H. Shine
Attorney for Beatrice Weaver

Mark W. Buyck, III
Attorney for Progress Energy Carolinas, Inc.